



03-16-05

TFA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:  
Hanke, Paul D.

) Examiner: Slobodyansky, Elizabeth

)  
) Group Art Unit: 1652

)  
) Application No. 09/974,973

)  
) Filed: October 12, 2001

)  
) For: FEEDBACK-RESISTANT  
) PYRUVATE CARBOXYLASE GENE  
) FROM *CORYNEBACTERIUM*

LETTER REGARDING REQUESTS FOR CORRECTION OF INVENTORSHIP

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This communication includes two requests for correction of inventorship. The first, a request under 37 CFR 1.48(a), is submitted to add Anthony J. Sinskey, Laura B. Willis, and Stephane Guillouet as inventors to the application. The request under 37 CFR 1.48(a) is based on the application and claims as filed and prior to amendment. Applicants ask that the Request under 37 CFR 1.48(a) be considered first.

The second request is filed under 37 CFR 1.48(b). As stated in that request, amendments made subsequent to execution of the corrected declaration have removed Stephane Guillouet's contribution from the claims. Applicants ask that the Request under 37 CFR 1.48(b) be considered second.

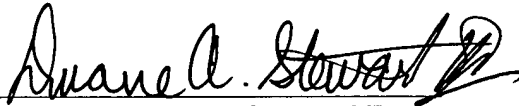
To summarize: Applicants request that Anthony J. Sinskey, Laura B. Willis, and Stephane Guillouet be added as inventors to this application. After that addition, Stephane Guillouet should be removed as an inventor for the application.

CONCLUSION

Based upon the foregoing information, it is respectfully requested that the inventorship be corrected as described in the two Requests accompanying this letter.

Respectfully submitted,

Dated: March 14, 2005

By:   
Duane A. Stewart III  
Reg. No. 54,468

BUCHANAN INGERSOLL PC  
One Oxford Centre  
301 Grant Street, 20th Floor  
Pittsburgh, PA 15219-1410  
(T) 412-562-1622  
(F) 412-562-1041  
E-mail: [stewartda@bipc.com](mailto:stewartda@bipc.com)



031001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:  
Hanke, Paul D.

) Examiner: Slobodyansky, Elizabeth  
)

) Group Art Unit: 1652  
)

Application No. 09/974,973  
)

Filed: October 12, 2001  
)

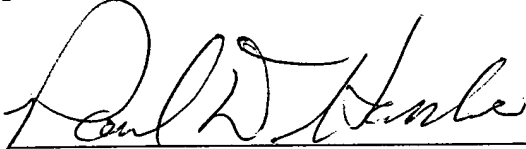
For: FEEDBACK-RESISTANT  
PYRUVATE CARBOXYLASE GENE  
FROM *CORYNEBACTERIUM*  
)

CURRENT INVENTOR'S STATEMENT

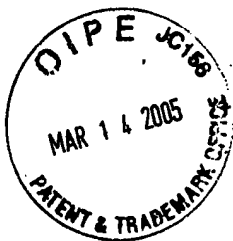
I agree to the addition of Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis as inventors to the above-captioned patent application.

Dated: 3/7/05

Respectfully submitted,

By: 

Paul D. Hanke  
Decatur, Illinois



031001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:  
Hanke, Paul D.

) Examiner: Slobodyansky, Elizabeth

) Group Art Unit: 1652

) Application No. 09/974,973

) Filed: October 12, 2001

) For: FEEDBACK-RESISTANT  
) PYRUVATE CARBOXYLASE GENE  
) FROM *CORYNEBACTERIUM*

ADDED INVENTOR'S STATEMENT

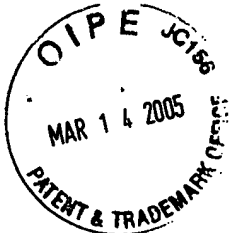
The inventorship error of failing to name Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis as inventors of the above-captioned patent application occurred without any deceptive intention on the part of Laura B. Willis.

Dated: 11 January 2005

Respectfully submitted,

By: 

Laura B. Willis  
Cambridge, Massachusetts



031001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:  
Hanke, Paul D.

) Examiner: Slobodyansky, Elizabeth

) Group Art Unit: 1652

) Application No. 09/974,973

) Filed: October 12, 2001

) For: FEEDBACK-RESISTANT  
) PYRUVATE CARBOXYLASE GENE  
) FROM *CORYNEBACTERIUM*

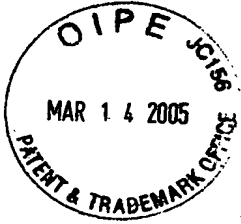
ADDED INVENTOR'S STATEMENT

The inventorship error of failing to name Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis as inventors of the above-captioned patent application occurred without any deceptive intention on the part of Anthony J. Sinskey.

Dated: 11/11/05

Respectfully submitted,

By: Anthony J. Sinskey  
Anthony J. Sinskey  
Cambridge, Massachusetts



031001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:  
Hanke, Paul D.

) Examiner: Slobodyansky, Elizabeth

) Group Art Unit: 1652

) Application No. 09/974,973

) Filed: October 12, 2001

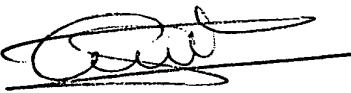
) For: FEEDBACK-RESISTANT  
) PYRUVATE CARBOXYLASE GENE  
) FROM *CORYNEBACTERIUM*

ADDED INVENTOR'S STATEMENT

The inventorship error of failing to name Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis as inventors of the above-captioned patent application occurred without any deceptive intention on the part of Stephane Guillouet.

Dated: 02.10.2005

Respectfully submitted,

By:   
Stephane Guillouet  
Ramonville, France

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:  
Hanke, Paul D.

Examiner: Slobodyansky, Elizabeth

Group Art Unit: 1652

Application No. 09/974,973

Filed: October 12, 2001

For: FEEDBACK-RESISTANT  
PYRUVATE CARBOXYLASE GENE  
FROM *CORYNEBACTERIUM*

ASSIGNEE'S STATEMENT

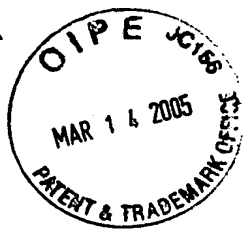
Archer Daniels Midland Company agrees to the requested addition of Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis as inventors of the above-captioned patent application. A statement of assignment was previously recorded at the USPTO (reel/frame 0123100/0044).

Dated: 3-7-05

Respectfully submitted,

By: 

David J. Smith  
Executive Vice President,  
Secretary, and General Counsel  
Archer Daniels Midland Company



Case No. 031001

Page 1 of 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

As a below named inventor, I hereby declare that:  
I believe I am the

☐ original, first and sole inventor; or

☒ an original, first and joint inventor along with the other inventors listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled  
"Feedback-Resistant Pyruvate Carboxylase Gene From *Corynebacterium*"

the specification of which

☐ is attached hereto;

☒ was filed on October 12, 2001 as Application  
Serial No. 09/974,973 and was amended  
through \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended as indicated above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate for the same invention having a filing date before that of the application on which priority is claimed:



Prior Foreign Application(s)

Priority Claimed

Country	Number	Date Filed	Attorney Docket
---------	--------	------------	-----------------

<input type="checkbox"/>	<input type="checkbox"/>
Yes	No

Country	Number	Date Filed	Attorney Docket
			Yes No

<input type="checkbox"/>	<input type="checkbox"/>
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Prior United States Filing

I hereby claim the benefit under Title 35, United States Code, § 120 or § 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 156(a) which occurred between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

60/239,913	October 13, 2000	031000	Pending when Application No. 09/974,973 was filed; now abandoned
Appl. Ser. No.	Filing Date	Attorney Docket	Status

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name  
Of Sole Or  
Joint Inventor Paul D. Hanke  
Inventor's  
Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 2622 Wadsworth Ln.  
Urbana, IL 61802

Citizenship United States of America

Post Office  
Address  
(if different  
from above) \_\_\_\_\_

Full Name  
Of Sole Or  
Joint Inventor Laura B. Willis  
Inventor's  
Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence 32 Elm Street, #1  
Cambridge, MA 02139

Citizenship United States of America

Post Office  
Address  
(if different  
from above) \_\_\_\_\_

Full Name Of  
Joint Inventor Anthony J. Sinskey  
Inventor's  
Signature \_\_\_\_\_

Residence 285 Commonwealth Ave.  
Boston, MA 02115

Citizenship United States of America

Post Office  
Address  
(if different  
from above) MIT Biology 68-370  
31 Ames Street  
Cambridge, MA 02139

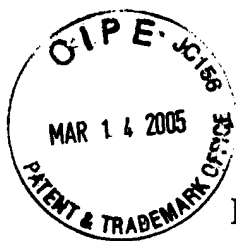
Full Name Of  
Joint Inventor Stephane Guillouet  
Inventor's  
Signature \_\_\_\_\_

Date 02.10.2005

Residence 4 Residence du parc  
31520 Ramonville

Citizenship France

Post Office  
Address  
(if different  
from above) LBB-INSa-DGBA  
135 Avenue de Rangueil  
31077 Toulouse Cedex 4  
France



Case No. 031001

Page 1 of 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

As a below named inventor, I hereby declare that:  
I believe I am the

☐ original, first and sole inventor; or

☒ an original, first and joint inventor along with the other inventors listed below, of the  
subject matter which is claimed and for which a patent is sought on the invention entitled  
"Feedback-Resistant Pyruvate Carboxylase Gene From *Corynebacterium*"

the specification of which

☐ is attached hereto;

☒ was filed on October 12, 2001 as Application  
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I hereby state that I have reviewed and understand the contents of the above identified  
specification, including the claims, as amended as indicated above.

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application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

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application(s) for patent or inventor's certificate listed below and have also identified below any foreign  
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application on which priority is claimed:

## Prior Foreign Application(s)

## Priority Claimed

Country	Number	Date Filed	Attorney Docket
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Yes	No
-----	----

Country	Number	Date Filed	Attorney Docket
			Yes No

Yes	No
-----	----

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Appl. Ser. No.	Filing Date	Attorney Docket	Status
60/239,913	October 13, 2000	031000	Pending when Application No. 09/974,973 was filed; now abandoned

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

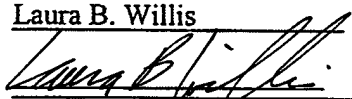
Full Name  
Of Sole Or  
Joint Inventor Paul D. Hanke  
Inventor's  
Signature

Date

Residence 2622 Wadsworth Ln.  
Urbana, IL 61802

Citizenship United States of America

Post Office  
Address   
(if different  
from above)

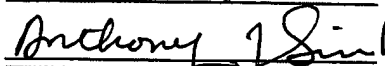
Full Name  
Of Sole Or  
Joint Inventor Laura B. Willis  
Inventor's  
Signature 

Date

Residence 32 Elm Street, #1  
Cambridge, MA 02139

Citizenship United States of America

Post Office  
Address   
(if different  
from above)

Full Name Of  
Joint Inventor Anthony J. Sinskey  
Inventor's  
Signature 

Residence 285 Commonwealth Ave.  
Boston, MA 02115

Citizenship United States of America

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from above) Cambridge, MA 02139

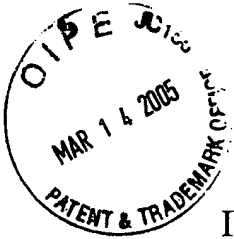
Full Name Of  
Joint Inventor Stephane Guillouet  
Inventor's  
Signature

Date

Residence 4 Residence du parc  
31520 Ramonville

Citizenship France

Post Office  
Address LBB-INSa-DGBA  
135 Avenue de Rangueil  
(if different  
from above) 31077 Toulouse Cedex 4  
France



Case No. 031001  
Page 1 of 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

As a below named inventor, I hereby declare that:  
I believe I am the

☐ original, first and sole inventor; or

☒ an original, first and joint inventor along with the other inventors listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled  
"Feedback-Resistant Pyruvate Carboxylase Gene From *Corynebacterium*"

the specification of which

☐ is attached hereto;

☒ was filed on October 12, 2001 as Application  
Serial No. 09/974,973 and was amended  
through \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended as indicated above.

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I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate for the same invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

Country	Number	Date Filed	Attorney Docket
---------	--------	------------	-----------------

<input type="checkbox"/>	<input type="checkbox"/>
Yes	No

Country	Number	Date Filed	Attorney Docket
			Yes No

<input type="checkbox"/>	<input type="checkbox"/>
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Prior United States Filing

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Appl. Ser. No.	Filing Date	Attorney Docket	Status
<u>60/239,913</u>	<u>October 13, 2000</u>	<u>031000</u>	Pending when Application No. 09/974,973 was filed; now abandoned

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name  
Of Sole Or  
Joint Inventor  
Inventor's  
Signature

Paul D. Hanke

Date

3/7/05

Residence

2622 Wadsworth LnUrbana, IL

Citizenship

United States of America

Post Office

Address

(if different  
from above)

Full Name

Of Sole Or

Joint Inventor

Inventor's

Signature

Laura B. Willis

Date

Residence

32 Elm Street, #1Cambridge, MA 02139

Citizenship

United States of America

Post Office

Address

(if different  
from above)

Full Name Of

Joint Inventor

Inventor's

Signature

Anthony J. Sinskey

Residence

285 Commonwealth Ave.Boston, MA 02115

Citizenship

United States of America

Post Office

Address

(if different  
from above)MIT Biology 68-37031 Ames StreetCambridge, MA 02139

Full Name Of

Joint Inventor

Inventor's

Signature

Stephane Guillouet

Date

Residence

4 Residence du parc31520 Ramonville

Citizenship

France

Post Office

Address

(if different  
from above)LBB-INSA-DGBA135 Avenue de Rangueil31077 Toulouse Cedex 4France





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:	)	Examiner: Slobodyansky, Elizabeth
Hanke, Paul D.	)	
	)	Group Art Unit: 1652
	)	
Application No. 09/974,973	)	
	)	
Filed: October 12, 2001	)	
	)	
For: FEEDBACK-RESISTANT	)	
PYRUVATE CARBOXYLASE GENE	)	
FROM <i>CORYNEBACTERIUM</i>	)	

REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 CFR 1.48(a)

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests correction of the inventorship in the above-identified patent application. Through error, and without deceptive intent on his or her part, three inventors, Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis, were not named. The only change being made in the patent application is to correct the inventorship, all parties and assignees are in agreement, and the inventorship issue is not contested.

Statements from the added inventors, the current named inventor, and the assignee are being submitted concurrently with this Request, as is the fee under 37 CFR 1.17(i).

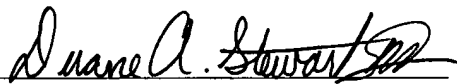
A requisite fee in the amount of \$130.00 is believed due and a check for that amount is included. The Commissioner is authorized to debit any insufficiency from or credit any overage to the correct amount to Deposit Account No. 02-4553.

CONCLUSION

Based upon the foregoing information, it is respectfully requested that the inventorship be corrected to add Anthony J. Sinskey, Stephane Guillouet and Laura B. Willis.

Respectfully submitted,

Dated: March 14, 2005

By:   
Duane A. Stewart III  
Reg. No. 54,468  
BUCHANAN INGERSOLL PC  
One Oxford Centre  
301 Grant Street, 20th Floor  
Pittsburgh, PA 15219-1410  
(T) 412-562-1622  
(F) 412-562-1041  
E-mail: stewartda@bipc.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of:	)	Examiner: Slobodyansky, Elizabeth
Hanke, Paul D.	)	
	)	Group Art Unit: 1652
	)	
Application No. 09/974,973	)	
	)	
Filed: October 12, 2001	)	
	)	
For: FEEDBACK-RESISTANT	)	
PYRUVATE CARBOXYLASE GENE	)	
FROM <i>CORYNEBACTERIUM</i>	)	

REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 CFR 1.48(b)

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.48(b), Applicant hereby requests correction of the inventorship in the above-identified patent application. Although Stephane Guillouet was properly named as an inventor in the petition under 37 CFR 1.48(a) filed concurrently with this petition (and based on the application and its claims as filed), cancellation of certain claims in the application render the claims such that Stephane Guillouet's invention is no longer being claimed in this nonprovisional application. Kindly delete Stephane Guillouet from the application.

The fee under 37 CFR 1.17(i) is being submitted with this request, which is signed by a party set forth in 37 CFR 1.33(b) as required by 37 CFR 1.48(b).

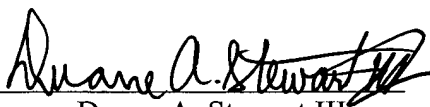
A requisite fee in the amount of \$130.00 is believed due and a check for that amount is included. The Commissioner is authorized to debit any insufficiency from or credit any overage to the correct amount to Deposit Account No. 02-4553.

CONCLUSION

Based upon the foregoing information, it is respectfully requested that the inventorship be corrected to delete Stephane Guillouet.

Respectfully submitted,

Dated: March 14, 2005

By:   
Duane A. Stewart III  
Reg. No. 54,468

BUCHANAN INGERSOLL PC  
One Oxford Centre  
301 Grant Street, 20th Floor  
Pittsburgh, PA 15219-1410  
(T) 412-562-1622  
(F) 412-562-1041  
E-mail: [stewartda@bipc.com](mailto:stewartda@bipc.com)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PROCESSING FEE**  
**Under 37 CFR 1.17(i)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/974,973
Filing Date	October 12, 2001
First Named Inventor	Hanke, Paul D.
Art Unit	1652
Examiner Name	Slobodyansky, Elizabeth
Attorney Docket Number	031001

**Enclosed is a paper filed under 37 CFR 1.48(a) that requires a processing fee (37 CFR 1.17(i)).**  
**Payment of \$ 130.00 is enclosed.**

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 02-4553 :☒ processing fee under 37 CFR 1.17(i) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☒ Check in the amount of \$ 130.00 is enclosed.☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,**  
**Except for § 1.221 papers (Fee Code 1803)**

For papers filed under:

- § 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications.
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 - for entry of late priority papers.
- § 1.99(e) - for processing a belated submission under § 1.99.
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application.
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. **Fee Code 1803**
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

Signature

Duane A. Stewart III

Typed or printed name

March 14, 2005

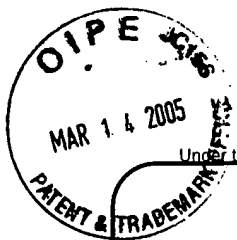
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54,468

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Total Number of Pages in This Submission

23

Application Number

09/974,973

Filing Date

October 12, 2001

First Named Inventor

Hanke, Paul D.

Art Unit

1652

Examiner Name

Slobodyansky, Elizabeth

Attorney Docket Number

031001

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Buchanan Ingersoll PC		
Signature			
Printed name	Duane A. Stewart III		
Date	March 14, 2005	Reg. No.	54,468

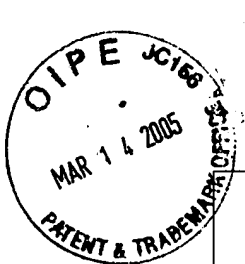
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	IN RE APPLICATION OF:	
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	Serial No.: 09/974,973	Filing Date: October 12, 2001
	Title: Feedback-Resistant Pyruvate Carboxylase Gene from Corynebacterium	
Group Art Unit 1652	Examiner Slobodyansky, Elizabeth	

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